IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 19717 of 2004

Between:

Kolli Anand Kumar S/o Venkata Ramana
R/o P. No. 32-1-13A Rajendra Prasad Street, Prajashakthi Nagar,
Vijayawada-10, Krishna District

..... PETITIONER

AND

1 Government of A.P., rep by Secretary Home
Department Secretariat Buildings, Saifabad,
Hyderabad.
2 Smt. K. Jyothi W/o K. Ananda Kumar
R/o Main Road Tapeswaram, E.G. District, A.P.,
3 Sri M. Sita Ramacharyulu,
R/o Main Road Tapeswaram, E.G. District, A.P.,

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ, Order or Direction more particularly writ of Habeas Corpus, directing the 1st respondent herein to handover the custody of the child to the petitioner in the interest of the welfare of the child till the 2nd respondent returns from abroad and to grant such other relief or reliefs.

Counsel for the Petitioner : MR.C.RAGHU

Counsel for the Respondent No.1: ADVOCATE GENERAL.

Counsel for the respondent Nos.2 & 3: None appeared.

The Court at the admission stage made the following:

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Filing Habeas Corpus petition as regards custody of the minor child, who admittedly is in the custody of 2nd respondent – mother of the minor child, is misconceived. Petitioner can seek appropriate relief from the Family Court.

2. With leave and liberty granted, writ petition is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

C.V. RAMULU. J.,

Dated: 28.10.2004.

VRK.

To

1 The Secretary to Government, Home Department, Secretariat Buildings, Saifabad, Hyderabad
2. Two CCs to the Advocate-General, High Court Buildings, Hyderabad (OUT).

3. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 19717 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 28.10.2004.